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FACSIMILE TRANSMITTAL COVER SHEET

DATE: December 17, 2004 ATTORNEY DOCKET NUMBER: KCC 4782

PTO FACSIMILE NUMBER: (703) 872-9306

PLEASE DELIVER THIS FACSIMILE TO: Mark Halpern
THIS FACSIMILE IS BEING SENT BY: Christopher M. Goff
NUMBER OF PAGES: 17 INCLUDING COVER SHEETTIME SENT: 9:50am OPERATOR'S NAME Daphne Moore

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to
the Patent and Trademark Office on the date shown below.Daphne H. Moore
Typed or printed name of person signing certificationDaphne H. Moore 12-17-04
Signature DateType of paper transmitted: Petition to Withdrawal Holding
of Abandonment; Amendment C (originally sent August 9, 2004);
Facsimile Receipt dated August 9, 2004Applicant's Name: Kimberly-Clark Worldwide, Inc.Serial No. (Control No.): 10/039,237 Examiner: HalpernFiling Date: December 31, 2001 Art Unit: 1731Application Title: PROCESS FOR MANUFACTURING A CELLULOSIC PAPER
PRODUCT EXHIBITING REDUCED MALODORIF YOU DO NOT RECEIVE ALL PAGES CLEARLY, CALL BACK AS SOON AS
POSSIBLE. CONFIRMING NUMBER IS (314) 231-5400.

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K-C 17,029
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Spence, et al.

Art Unit 1731

Serial No. 10/039,237

Filed December 31, 2001

Confirmation No.: 7293

For PROCESS FOR MANUFACTURING A CELLULOSIC PAPER PRODUCT

EXHIBITING REDUCED MALODOR

Examiner Mark Halpern

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December 17, 2004

PETITION REQUESTING WITHDRAWAL OF THE HOLDING OF
ABANDONMENT OF A PATENT APPLICATION UNDER 37 C.F.R. § 1.181(a)

TO THE COMMISSIONER FOR PATENTS AND TRADEMARKS,

SIR:

Applicants petition to request withdrawal of the holding of abandonment in the above-referenced patent application. A Notice of Abandonment dated December 9, 2004 was sent to inform Applicants that the application has been abandoned for failure to timely file a proper response to the Office Action dated May 11, 2004, and that the proposed response to that communication, which was filed on August 9, 2004, was never received.

As demonstrated in the following paragraphs and in view of the enclosures, Applicants timely submitted an Amendment C via facsimile on August 9, 2004. Accordingly, the Notice of Abandonment was issued in error and the holding of abandonment must be withdrawn and examination resumed.

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A. STATEMENT OF FACTS AND REQUEST FOR WITHDRAWAL OF HOLDING OF
ABANDONMENT

The following facts are based on a reasonable and diligent investigation of the circumstances leading to the issuance of the Notice of Abandonment.

1. On May 11, 2004, The Office mailed and the Applicants received a Non-final Office Action setting a shortened statutory period of three months for reply.
2. On August 9, 2004, Applicants submitted an Amendment C in response to the Office Action via facsimile.
3. On November 15, 2004, Examiner Halpern called, stating that the Office had not yet received a response to the Office Action dated May 11, 2004. Mr. Goff (Reg. No. 41,785), Applicants' attorney, noted that Amendment C was submitted in response to the Office Action via facsimile on August 9, 2004. Additionally, Mr. Goff offered to resubmit Amendment C along with a copy of the facsimile receipt showing receipt of Amendment C on August 9, 2004 by the Office. Examiner Halpern stated that resubmitting Amendment C was not necessary and that he would call Mr. Goff back if he failed to receive Amendment C.
4. On December 9, 2004, the Office mailed and the Applicants received a Notice of Abandonment for failure to timely file a proper reply to the Office Action mailed on May 11, 2004.
5. On December 16, 2004, Mr. Goff telephoned Examiner Halpern to discuss the Notice of Abandonment. Examiner Halpern instructed Mr. Goff to resubmit Amendment C along with the facsimile receipt showing the original submission of Amendment C

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dated August 9, 2004 to Examiner Halpern's personal facsimile number (additional copies of Amendment C and the

* facsimile receipt are enclosed with the instant Petition). Additionally, Mr. Goff was instructed to file the enclosed Petition Requesting Withdrawal of the Holding of Abandonment. Examiner Halpern stated that Applicants would not be required to pay the Petition fee.

* 6. The enclosed Petition Requesting Withdrawal of the Holding of Abandonment of a Patent Application Under 37 C.F.R. § 1.181 is being filed less than two months after learning of the Notice of Abandonment.

7. In view of the foregoing, Applicants respectfully submit that the Notice of Abandonment was issued in error, and that the application has never been abandoned.

8. Applicants believe a petition fee is not required. Nonetheless, in the event that a fee is deemed necessary, the Office is directed to charge any required fee to Deposit Account No. 19-1345.

B. Summary

In view of the foregoing, Applicants respectfully submit that the Office must withdraw the holding of abandonment reflected in the Notice of Abandonment. Applicants further request that the Office enter the Amendment C and that the Amendment C be accorded its actual filing date of August 9, 2004.

The Office is invited to contact the undersigned should any issues remain.

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The Commissioner is hereby authorized to charge any deficiency or overpayment of the required fee to Deposit Account No. 19-1345.

Respectfully submitted,



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CMG/JMB/dhm
Via Facsimile (703) 872-9306

* Enclosures